

## REMARKS

In the May 28, 1999, Notice, the Examiner stated that "[t]he Communication filed on 03/24/99 is not fully responsive to the communication mailed 02/02/99" because the Sequence Listing submitted on March 24, 1999, failed to explain the location of n or Xaa, and which residue n or Xaa represents. A copy of the May 28, 1999, Notice is enclosed. Further, the Examiner stated that applicants must provide a substitute computer readable form (CRF) copy of the Sequence Listing, a substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification, and a statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter.

A computer readable form and a paper copy of the "Sequence Listing" (pages 1 and 2) are enclosed. Further, I hereby state that the content of the paper copy and the computer readable form of the Sequence Listing submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same. I hereby state that the paper copy and the computer readable form introduce no new matter and conform with standard Patent and Trademark Office requirements for the Sequence Listing in accordance with 37 C.F.R. §§ 1.821-1.825.

### LAW OFFICES

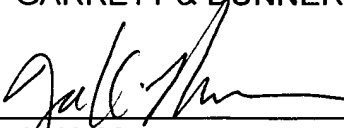
FINNEGAN, HENDERSON,  
FARABOW, GARRETT  
& DUNNER, L.L.P.  
STANFORD RESEARCH PARK  
700 HANSEN WAY  
PALO ALTO, CALIF. 94304  
650-849-6600

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: \_\_\_\_\_

  
Ja K. Moon

Reg. No. 42,010

Dated: July 13, 1999

LAW OFFICES

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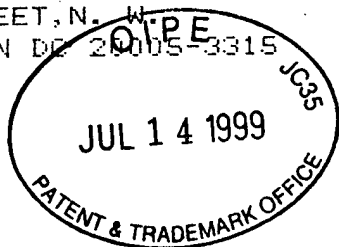
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/803,954	02/21/97	LANGLEY	K 0109063/004

FINNEGAN, HENDERSON, FARABOW,  
GARRETT AND DUNNER, L.L.P.  
1300 I STREET, N.W.  
WASHINGTON DC 20005-3315

HM12/0528



EXAMINER
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HAYES, R

ART UNIT	PAPER NUMBER
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1645

16

DATE MAILED: 05/28/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

RECEIVED

JUN 01 1999

FINNEGAN, HENDERSON, FARABOW,  
GARRETT AND DUNNER, LLP

Docketed 6-1-99 Attorney MPB-JKM  
Case 06843-0009-00  
Due Date 6-28-99 w/EXT  
Action RESPONSE (Sequence Listing) DNE  
By BEV

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/803954			



EXAMINER	
ART UNIT	PAPER NUMBER
	16

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

The communication filed on **03/24/99** is not fully responsive to the communication mailed **02/02/99** for the reason(s) set forth on the attached Notice to Comply With the Sequence Rules or CRF Diskette Problem Report.

Since the response appears to be bona fide, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication should be directed to Examiner **Robert C. Hayes**, Art Unit **1645**, whose telephone number is **703-305-3132**

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

Robert C. Hayes, Ph.D.  
May 25, 1999

ANTHONY C. CAPUTA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1600

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- ☒ An ~~initial~~ or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An ~~initial~~ or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support (SIRA)

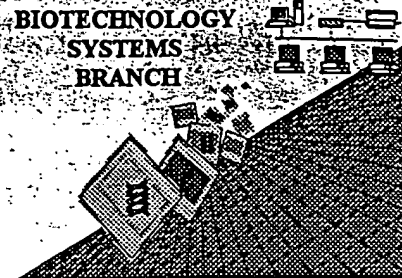
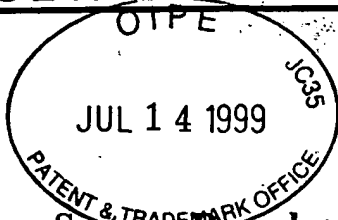
Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**

*Hayes*

# **RAW SEQUENCE LISTING** **ERROR REPORT**



The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following CRF diskette:

Application Serial Number:

08/803,954

Art Unit / Team No. :

1645

Date Processed by STIC:

3/31/99

**THE ATTACHED PRINTOUT EXPLAINS THE ERRORS DETECTED.**

**PLEASE BE SURE TO FORWARD THIS INFORMATION TO THE APPLICANTS BY EITHER:**

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANTS ALONG WITH A NOTICE TO COMPLY or,**
- 2) CALLING APPLICANTS AND FAXING THEM A COPY OF THE PRINTOUT WITH A NOTICE TO COMPLY**

**THIS WILL INSURE THAT THE NEXT SUBMISSION RECEIVED FROM THEM WILL BE ERROR FREE.**

**IF YOU HAVE ANY FURTHER QUESTIONS, PLEASE CALL:**

**ARTI SHAH 703-308-4212**

# Raw Sequence Listing Error Summary

## ERROR DETECTED SUGGESTED CORRECTION

SERIAL NUMBER: 08/803954

**ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE**

- 1        **Wrapped Nucleics**      The number/text at the end of each line "wrapped" down to the next line.  
This may occur if your file was retrieved in a word processor after creating it.  
Please adjust your right margin to .3, as this will prevent "wrapping".
- 2        **Wrapped Aminos**      The amino acid number/text at the end of each line "wrapped" down to the next line.  
This may occur if your file was retrieved in a word processor after creating it.  
Please adjust your right margin to .3, as this will prevent "wrapping".
- 3        **Incorrect Line Length**      The rules require that a line not exceed 72 characters in length. This includes spaces.  
All text must be visible on page.
- 4        **Misaligned Amino Acid Numbering**      The numbering under each 5th amino acid is misaligned. This may be caused by the use of tabs between the numbering. It is recommended to delete any tabs and use spacing between the numbers.
- 5        **Non-ASCII**      This file was not saved in ASCII (DOS) text, as required by the Sequence Rules.  
Please ensure your subsequent submission is saved in ASCII text so that it can be processed.
- 6        **Variable Length**      Sequence(s)        contain n's or Xaa's which represented more than one residue.  
As per the rules, each n or Xaa can only represent a single residue.  
Please present the maximum number of each residue having variable length and indicate in the (ix) features section that some may be missing.
- 7        **Wrong Designation**      Sequence(s)        contain amino acid or nucleic acid designators which are not standard representations as per the Sequence Rules (Please refer to paragraph 1.822)
- 8        **Skipped Sequences (OLD RULES)**      Sequence(s)        missing. If intentional, please use the following format for each skipped sequence:  
(2) INFORMATION FOR SEQ ID NO:X:  
(i) SEQUENCE CHARACTERISTICS:(Do not insert any headings under "SEQUENCE CHARACTERISTICS")  
(x1) SEQUENCE DESCRIPTION:SEQ ID NO:X:  
This sequence is intentionally skipped  
  
Please also adjust the "(iii) NUMBER OF SEQUENCES:" response to include the skipped sequence(s).
- 9        **Skipped Sequences (NEW RULES)**      Sequence(s)        missing. If intentional, please use the following format for each skipped sequence.  
<210> sequence id number  
<400> sequence id number  
000
- 10        **Use of n's or Xaa's (NEW RULES)**      Use of n's and/or Xaa's have been detected in the Sequence Listing.  
Use of <220> to <223> is MANDATORY if n's or Xaa's are present.  
In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.
- 11        **Use of <213>Organism (NEW RULES)**      Sequence(s)        are missing this mandatory field or its response.
- 12        **Use of <220>Feature (NEW RULES)**      Sequence(s)        are missing the <220>Feature and associated headings.  
Use of <220> to <223> is MANDATORY if <213>ORGANISM is "Artificial" or "Unknown"  
Please explain source of genetic material in <220> to <223> section.  
(See "Federal Register," 6/01/98, Vol. 63, No. 104, pp. 29631-32)  
(Sec. 1.823 of new Sequence Rules)
- 13        **PatentIn ver. 2.0 "bug"**      Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing).  
Instead, please use "File Manager" or any other means to copy file to floppy disk.

R. Hayes

1645

PAGE: 1

RAW SEQUENCE LISTING  
PATENT APPLICATION US/08/803,954

DATE: 04/01/1999  
TIME: 11:40:13

Input Set: H803954.RAW

This Raw Listing contains the General Information  
Section and up to first 5 pages.

Does Not Comply  
Corrected Diskette Needed

1 <110> APPLICANT: Langley, Keith E.  
2 Boone, Thomas C.  
3 Declerck, Yves A.  
4 <120> TITLE OF INVENTION: Metalloproteinase Inhibitor  
5 <130> FILE REFERENCE: 06843.0009-08  
6 <140> CURRENT APPLICATION NUMBER: US/08/803,954  
7 <141> CURRENT FILING DATE: 1997-02-21  
8 <150> EARLIER APPLICATION NUMBER: 08/212,660  
9 <151> EARLIER FILING DATE: 1994-03-11  
10 <150> EARLIER APPLICATION NUMBER: 08/087,021  
11 <151> EARLIER FILING DATE: 1993-07-06  
12 <150> EARLIER APPLICATION NUMBER: 07/710,728  
13 <151> EARLIER FILING DATE: 1991-06-03  
14 <150> EARLIER APPLICATION NUMBER: 07/501,904  
15 <151> EARLIER FILING DATE: 1990-03-29  
16 <150> EARLIER APPLICATION NUMBER: 07/355,027  
17 <151> EARLIER FILING DATE: 1989-05-19  
18 <160> NUMBER OF SEQ ID NOS: 5  
19 <170> SOFTWARE: PatentIn Ver. 2.0

20 <210> SEQ ID NO 1  
21 <211> LENGTH: 13  
22 <212> TYPE: PRT  
23 <213> ORGANISM: Homo sapiens  
24 <400> SEQUENCE: 1  
W--> 25 Cys Pro Met Ile Pro Cys Tyr Ile Ser Ser Pro Xaa Glu  
26 1 5 10

27 <210> SEQ ID NO 2  
28 <211> LENGTH: 19  
29 <212> TYPE: PRT  
30 <213> ORGANISM: Homo sapiens  
31 <400> SEQUENCE: 2  
32 Cys Ser Cys Ser Pro Val His Pro Gln Gln Ala Phe Cys Asn Ala Asp  
33 1 5 10 15

34 Val Val Ile  
35 <210> SEQ ID NO 3  
36 <211> LENGTH: 20  
37 <212> TYPE: PRT  
38 <213> ORGANISM: Homo sapiens  
39 <400> SEQUENCE: 3  
40 Val Val Phe Phe Pro Val Ala His Pro His Ser Trp Pro Thr Gln Val  
41 1 5 10 15

42 Ser Leu Arg Thr  
43 20  
44 <210> SEQ ID NO 4

see item 10 on Enon  
summary sheet



1645

PAGE: 2

RAW SEQUENCE LISTING  
PATENT APPLICATION US/08/803,954

DATE: 04/01/1999  
TIME: 11:40:13

Input Set: H803954.RAW

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45 <211> LENGTH: 21
46 <212> TYPE: PRT
47 <213> ORGANISM: Homo sapiens
48 <400> SEQUENCE: 4
49 Val Val Gly Gly Pro Ala Val Ala His Pro His Ser Trp Pro Thr Gln
50      1              5              10              15
51 Val Ser Leu Arg Thr
52      20
53 <210> SEQ ID NO 5
54 <211> LENGTH: 6
55 <212> TYPE: PRT
56 <213> ORGANISM: Homo sapiens
57 <400> SEQUENCE: 5
58 Cys Ser Cys Ser Pro Val
59      1              5
```

PAGE: 3

VERIFICATION SUMMARY  
PATENT APPLICATION US/08/803,954

DATE: 04/01/1999  
TIME: 11:40:13

Input Set: H803954.RAW

Line	? Error/Warning	Original Text
25	W "N" or "Xaa" used: Feature required	Cys Pro Met Ile Pro Cys Tyr Ile Ser Ser P